

DFEH News Brief

Date: August 29, 2008
For Immediate Release

Contact: Annmarie Billotti
916-478-7247

STATE ANNOUNCES \$150,000 DISCRIMINATION SETTLEMENT AGAINST SAN DIEGO HOUSING ASSOCIATION

ELK GROVE, CA -- The California Department of Fair Employment and Housing (DFEH) today announced the \$150,000 out-of-court settlement of a housing discrimination lawsuit filed in San Diego County Superior Court against the homeowners association of an Oceanside condominium development.

Lakeshore Villas Homeowners Association (HOA) was accused of discriminating against a terminally ill tenant with a mobility disability by removing a wooden ramp from a designated handicap parking space, preventing the resident from accessing his van for about ten weeks and rendering him virtually house-bound.

The DFEH filed the lawsuit on behalf of Douglas Vose, a former Lakeshore Villas resident who suffers from a rare terminal illness. Despite knowing that Mr. Vose requires a wheelchair to move about, the HOA board president allegedly ordered the wooden ramp removed after noticing an out-of-state expired handicap placard in Mr. Vose's van. The complaint also alleges an agent of the HOA board warned Mr. Vose his van could be towed if he continued to park in a handicap space, even though Mr. Vose had told the agent he was going to the Veterans Administration to obtain a new placard. According to the department, the HOA also failed to actually assign a handicap parking space to Mr. Vose. Further, the parking spaces the HOA designated "handicapped" were alleged to be nothing more than standard narrow spaces outlined with different color paint.

"This case illustrates how seriously the department considers its role in prosecuting Fair Employment and Housing Act (FEHA) violations and pursuing justice for Californians victimized by disability discrimination," said Governor Schwarzenegger's Secretary of State & Consumer Services, Rosario Marin.

As part of the out-of-court settlement, the HOA members agreed to undergo fair housing training, adopt a reasonable accommodation policy, and make all necessary modifications to the parking lot after conducting an Americans with Disabilities Act accessibility review. In settling the case, the HOA did not admit to any liability.

"Mr. Vose, like every other Californian, has rights that deserve to be protected," DFEH Director Phyllis Cheng said. "All California residents need to know that my department will continue to vigorously enforce the state's civil rights laws wherever discrimination is found."

The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence. For more information, visit our Web site at www.dfeh.ca.gov.

###